The House reassembled after lunch at one minute past two of the clock. The Deputy Chairman in the Chair.

DR. BIPLAB DASGUPTA (West Bengal) : Madam, may I know when the discussion on Bihar is going to take place? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Just now, I have something of a technical nature. The hon. Finance Minister is here. He has to raise an issue. That is a sweet matter. Then we will take up the bitter matter of Bihar.

STATUTORY RESOLUTION

Seeking to Amend First Schedule to Customs Traiff Act, 1975

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): Madam, I beg to move:

> "That in pursuance of sub-section (2) of Section 8A of the Customs Tariff Act 1975, read with sub-section (3) of Section 7 of the said Act, this House hereby approves of Notification No. 12/2000-Customs dated 9.2.2000 (G.S.R. 101 (E) dated 9.2.2000) which seeks to amend the First Schedule to the Customs Tariff Act, 1975 so as to enhance the rate of customs duty applicable to goods under sub-heading Nos. 1701.11, 1701.12, 1701.91 and 1701.99 from "40%" to "60%."

The question was proposed

DR. BIPLAB DASGUPTA (West Bengal) : Madam, I have an objection to the Resolution being moved like this. It is true that it has been listed in today's agenda paper. But it is a very important subject and there was no explanatory note. There was no discussion with the leaders of various parties about the contents of this Resolution. Now, we are not in a position to discuss it. In the morning, when I discussed it with the Leader of the Opposition, he also did not know about it. How can such an important Resolution be moved like this and a decision taken without the time having been fixed for its discussion? We cannot give any opinion on this because we have not studied it. I just do not know anything about it. But, at

least, I could know about it from the Leader of the Opposition. He also had no idea about it. So, I would request the hon. Finance Minister to have a discussion on it with the leaders and to tell us what it all about is. We did not discuss about it in the Business Advisory Comittee. Why should we discuss it now? If it is so urgent, why was it not brought before? Why was it not discussed? How can he take us for granted?

THE DEPUTY CHAIRMAN: Dr. Biplab Dasgupta, he has only moved the Resolution. I would like him to say something. Let him speak. ... *(Interruptions)...*

DR. BIPLAB DASGUPTA: Madam, we cannot discuss it. Before that, there is the more important question of Bihar. Bihar should be discussed first. Let the Bihar issue be taken up first. We requested the Leader of the House that there should be a discussion on Bihar and the Leader of the House agreed to it. The hon. Chairman agreed to the discussion. The only thing remained for him was to fix a date and the time. We have been repeatedly asking for a date and the time. Now, I understand that something has happened. So, by the time they agree to a discussion, there will be no need for a discussion.

THE DEPUTY CHAIRMAN : The main thing is-and you know this; you are a very senior Member of this House,-- that there are certain technical things, there are certain responsible duties, which you, as a responsible Member of Parliament, despite having all your concern about Bihar and otherwise, have always done. Otherwise, it will not look nice. That is the reason why the Finance Minister has moved it. And he was with us, and we discussed it.

SHRI PRANAB MUKHERJEE (West Bengal) : Madam, I would like to raise one point. It is true that the House has been agitating for quite some days for having a discussion on the motion moved by the Leader of the Opposition and some senior leaders of other parties, under rule 170, regarding the conduct of the Governor of Bihar.

So far as this particular issue is concerned, it has been brought before the other items because, by getting the approval of the House, the Finance Minister would be in a position to enhance the import duty on sugar, which will help the farmers. Otherwise, there could be a glut. That is why, we have agreed to support this. And it is true that unless the Government

gives time for a discussion on the Bihar issue under 170, no other Government business would be transacted, but because of the very special nature of this Resolution, the leaders of the Opposition parties here, and also in Lok Sabha, agreed to it, and it could not be brought here first because it is a financial matter, enhancement of customs duty. The practice which has been followed in this House and in the other House is that, the changes in duties are made through the Budget and then the Budget is approved. But if, through a special notification, you want to enhance a duty, the House has to be kept informed; otherwise, it cannot be done.

With these words, I would like to join Mr. Biplab Dasgupta, and I request the Leader of the House to agree to the consensus, at least, the broad consensus of this side of the House, to discuss the Bihar issue forthwith, without any delay, because it has been demonstrated with the election of the Speaker in the Bihar Legislative assembly, on which I would not like to make any comment, but the fact remains that what the Governor of Bihar did by installing a minority Government is a gross Constitutional impropriety.

DR. BIPLAB DASGUPTA : Madam, I cannot enter into the substantive issue unless I exercise my own judgement on it. The point is this. We have not been given time to really study the problem. It may be good for the country; it may be bad for the country, but it is for us to decide. It is not something on which wisdom can be borrowed from the Government. If the Government says it is good for the country, we cannot take it for granted. We have not been given time to really study the matter. Unless we have come to a judgement on our own, how can we support the Resolution? There has been no discussion on this. Madam, therefore, I suggest, if you permit, let the Resolution be discussed by the leaders first before putting it like this before the House. If he puts it like this, 1 am opposing it.

THE DEPUTY CHAIRMAN : Biplab *Babu,...(Interruption)....* Mr. Gurudas Das Gupta, let me answer. I will allow you. I have no problem about it. We can even discuss it, if you like, either on the floor of the House or wherever you want. The main thing is, it was laid on the 25th, and then it was also bulletined on 8th, i.e yesterday.

DR. BIPLAB DASGUPTA : Madam, it was never brought to our notice, neither in the Business Advisory Committee nor otherwise. No attempt was made to discuss the business. We cannot be taken for granted, Madam.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, the point essentially is, there is an element of anarchy. If the Government side will kindly execuse me, there is an element of anarchy in the management of parliamentary affairs; let us agree to that. If the Government is in a hurry to introduce certain changes in the customs law, which will favour the farmers of the country, why should anybody stand in the way? There can be a universal agreement on that. But the point is, if such an important matter is sought to be approved by this House, the easiest route is to have a discussion with the representatives of different parties prior to bringing it in the House itself. It might have been bulletined, it might have been laid on the Table of the House. But it is also true that the House is not transacting any business for a number of days because of the way the Governor of Bihar is functioning.

Therefore, in such a critical situation, when the division between the House and the concern of the Members was well-known, the Government did not take the easiest method, or, the method of consulting the political parties represented in this House, before bringing it to the House. Therefore, Madam, there is an element of anarchy in the functioning of the Government, not excluding the Ministry of Finance.

Secondly, if the Government is in a hurry to pass it, then, there can be consultation, either today, or, tomorrow. Heavens are not going to fall, if it is delayed by a day. It can be done tomorrow, and, prior to that, we can have a discussion also.

Lastly, Madam, I should say that the functioning of the Parliamentary system does not depend only on the Opposition. The functioning of the Parliamentary system does depend on the responsiveness of the Government, if the Government responds to the genuine grievances of the Opposition, then, there can be cooperation. We never want the House to be adjourned like this. The House is not for adjournment. The House is for discussion and debate. It does not augur well for the nation that the House is adjourned like this. The basic reason is that the Government is not responding to the genuine demand of the majority of the Members. It is because of this unusual behaviour on the part of the Government that the House is coming to a standstill. Therefore, in order to break the stalemate, it is expected that the Government will make a move, and the Government will respond to the demand. Madam, what has been a matter of concern to me and also to the other Members of the House is that, the Government allows the

standstill condition of the House to continue before it is able to sort out the issue outside the House. If you take the case of Gujarat, Madam, the same... *(Interruptions)....*

THE DEPUTY CHAIRMAN: We are discussing something else now. *(Interruptions)* Let us confine ourselves to ...*(Interruptions)....* Let us confine ourselves to the financial business. ...*(Interruptions)....*

SHRI GURUDAS DAS GUPTA: Madam, ...*(Interruptions)....* Please have patience.' ...*(Interruptions).* .

श्री संघ प्रिय गौतम (**उत्तर प्रदेश**): आपने भाषण लम्बा कर दिया ....(व्यवधान)....

SHRI GURUDAS DAS GUPTA: Madam, please listen to me. *(Interruptions).* Madam, I am not... *(Interruptions)....*

SHRI SANGH PRIYA GAUTAM: You have never given any constructive suggestion to the House. ...*(Interruptions)....* आप एनार्की डेमोंस्ट्रेट करते हो हाउस में ....(व्यवधान)....

SHRI GURUDAS DAS GUPTA: Just a minute. *(Interruptions)* What I was saying *was.(Interruptions)....* I did not refer to ... *(Interruptions)...*

उपसभापति: गुरुदास जी, बात तो सुनिए।

SHRI GURUDAS DAS GUPTA: I am not referring to what happened in Gujarat. I am only saying that the Government waited to respond to the demand of the Opposition before it was sorted out outside. Similarly, the Bihar issue *was..(Interruptions).,.*

श्री नरेश यादव (**बिहार**): मैडम इनका रवैया अच्छा नहीं है ....(व्यवधान)....

SHRI SANGH PRIYA GAUTAM: Why are you disturbing? ...*(Interruptions)...*

SHRI GURUDAS DAS GUPTA: Madam, I am coming straight to my point. ... *(Interruptions)...*

THE DEPUTY CHAIRMAN: Now, do you want to create unpleasentness? ... *(Interruptions)...* Please sit down ....*(Interruptions)...* I am not allowing you because.... *(Interruptions)...*

SHRI GURUDAS DAS GUPTA: Just a minute. ...*(Interruptions)*.... I am holding the Government's behaviour responsible for this standstill condition that this House is having. And the way in which a matter is sought to be brought before the House is also an expression of the political anarchy and unresponsiveness to the demand of the Opposition to have an important matter debated in the House. This is where we stand. ... *(Interruptions)*...

SHRI M. VENKAIAH NAIDU (Karnataka): Madam, forgetting all other political issues and controversies, as a Member of this House, I would like to make an appeal. This matter has been agitating the mind of the farming community throughout the country. You know that surplus stocks are coming up and the farmers are not able to get their dues from the sugar factories, for a variety of reasons. That being the case, representations were also given to the Government from time to time. We have been reading this in the newspapers also. My only appeal to you is, without going into the other aspects, let us discuss this. Let the Minister explain and, then, if there is some serious objection, or, any suggestion from anybody to help the farmers, that can also be discussed and disposed of. Regarding the other matters and making comments on what happened in Gujarat etc., I would like to say that we have already discussed the issue of Gujarat. We have discussed the Gujarat issue in this House even before it was sorted out outside. ...*(Interruptions)*.... So many things are pending because there is no end to the obstruction. 1 don't want to join issue with you. The issue now is, how to sort out the problem of the farmers. Let us focus our attention on this. ... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Now, I want some peace in the House. ... *(Interruptions)*...

THE LEADER OF THE OPPOSITION (DR. MANMOHAN SINGH): Madam, I share the sense of anguish expressed by both Shri Biplab Dasgupta and Shri Gurudas Das Gupta. But, I do feel that this is a matter in which we have no option. This Resolution lapses tomorrow and I think the interests of India's farming community, particularly, the sugar-cane growers demand that we should consider it as an urgent item. I, therefore, appeal to the hon. Members, notwithstanding all that is going on, let this Resolution be taken up immediately. ... *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: Madam, if it expires tomorrow,

we agree. ... *(Interruptions)...We* agree to it. ... *(Interruptions)...*No problem. ... *(Interruptions)...*

DR. BIPLAB DASGUPTA: Madam, this should not be the practice. This should not be taken as a precedent. In future, if such things happen, we will not co-operate. It should not set any precedent. In future, the Minister should consult the leaders of all political parties. ... *(Interruptions)...*

SHRI GURUDAS DAS GUPTA: Madam, we didn't hear from the other side because we were not consulted. They might have consulted only the Congress Party. ... *(Interruptions)...That* is different. They might have consulted the Congress Party, but not the other parties. ...*(Interruptions)...*

THE DEPUTY CHAIRMAN: No. I want to put the record straight. Gurudas Das Guptaji, don't make any allegation against anybody. I am taking the responsibility because in the morning I was told by the Minister of State for Parliamentary Affairs that it was a technical matter and it would lapse if it was not going to be taken up today and in spite of all the agitations... *(Interruptions)...*

SHRI PRANAB MUKHERJEE: Since it is going to lapse tomorrow, they have brought it today. ... *(Interruptions)...*

THE DEPUTY CHAIRMAN: Let me put the record straight. It was taken up in the Lok Sabha today. As Mr. Pranab' Mukherjee has said, a matter of financial nature has to come first to Lok Sabha and then it can come to the Rajya Sabha. It was taken up there. In spite of the agitation, the Lok Sabha Members agreed that this was a serious matter. It was brought here at fifteen minutes to two. I thought something should be done. I called the Leader of the House, the Leader of the Opposition, the Finance Minister and the Parliamentary Affairs Minister. I am in this job for a long time. I know the Members are very co-operative. They have been very co-operative in the past, regardless of the party in Government, when the matter relates to the country. That is the reason why I took it upon myself that 1 should bring everybody together at the table. Whether it was good or bad, whatever it be, I take the responsibility. I think it was a good thing because a message should not go from the House that lack of communication has caused this crisis. I was the communicator. आप बोलिए। हो गया। आपने मूव किया। ... *(Interruptions)...* Now, I have to put the Resolution to vote. ... *(Interruptions)...*

SHRI GURUDAS DAS GUPTA: We are responding to your appeal, Madam ...*(Interruptions)*... But we should have been consulted ... *(Interruptions)*...

श्री नरेश यादव (**बिहार**)**:** महोदया, इसी बिंदु पर हमें भी बोलने दीजिए।

महोदया, प्रतिपक्ष के नेता की भावना के साथ मैं हूं और इन्होंने जो भावना प्रकट की है उसमें हमारी, हमारे दल की भी सहमती है। निश्चित तौर पर किसनों के हित में यह संकल्प आज पारित होना आवश्यकात बताया जा रहा है। तो हम इसका विरोध नहीं करते हैं। लेकिन एक सवाल उस तरफ से आया है। मैं यह जानना चाहता हूं कि क्या किसानों की पीड़ा आज ही आपको महसूस हुई? यह चीनी तो आज से बहुत पहले पाकिस्तान से आ रही थी तब आप कहां चले गए थे ....(व्यवधान).... यह सही बात है। आयात पर आज आप बढ़ा रहे हैं यह अच्छी बात है। यह देश के किसानों के हित में है। लेकिन यह हित आपका कहां चला गया था जब आप पाकिस्तान से चीनी मंगा रहे थे? विरोध हमारा इस बात पर है। तब यह आपका हित कहां चला गया था? इस देश के किसानों के साथ आपने जुल्म किया है और यह किसानों के साथ गद्दारी हो रही है। यह मैं बताना चाहता हूं। हम लोग किसानों के साथ हैं।

उपसभापति: चलिए आपकी बात भी सामने आ गयी । डिसकशन नहीं होते होते भी हो ही गया। Now, we are absolutely in order. I shall now put the Resolution to vote.

The question is:

> "That in pursuance of sub-section (2) of section 8 A of the Customs Tariff Act, 1975, read with sub-section (3) of section 7 of the said Act, this House hereby approves of Notification No.l2/2000-Customs dated 9.2.2000 (G.S.R.101 (E) dated 9.2.2000) which seeks to amend the First Schedule to the Customs Tariff Act, 1975 so as to enhance the rate of customs duty applicable to goods under sub-heading Nos.1701.11, 1701.12, 1701.91 and 1701.99 from "40%" to "60%." *The motion was adopted.*

श्री सुरेश पचौरी (**मध्य प्रदेश**): महोदया ....(व्यवधान)....

THE DEPUTY. CHAIRMAN: No, no. There is one more thing.

श्री नरेश यादवः महोदया, यह संविधान के उल्लंघन का सवाल है। ....(व्यवधान)....

उपसभापति : आप अपनी जगह पर जाइये। मेरी बगैर अनुमति के इधर मत आइये।

श्री नरेश यादवः आपकी अनुमति हुई है।

उपसभापति : नहीं , मेरी अनुमति अभि नहीं हुई है। आप उधर रहिए। ....(व्यवधान)....There is a Statement on Supplementary Demands for Grants (Railways), for the year 1999-2000. This has to be laid on the Table ...*(Interruptions)*... Now, the Railway Minister. 3TTT 3TFt arra^ «fST *aftfay* I You are not visible *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: She should come to the front. She is not a back-bencher.

THE DEPUTY CHAIRMAN: She wants to be in a train, *a guard ka dibba,* not an engine!

SUPPLEMENTARY DEMANDS FOR GRANTS*- (Railways), 1999-2000

THE MINISTER OF RAILWAYS (MS. MAMATA BANERJEE): Respected Madam, I am very grateful to you and all the hon. Members of this House.

Madam, I lay on the Table a statement (in English and Hindi) showing the Supplementary Demands for Grants (Railways), for the year 1999-2000. Thank you.

THE DEPUTY CHAIRMAN: Mamataji, you are the engine of the train and not the *guard ka dibba.* . .

श्री सुरेश पचौरी: (मध्य प्रदेश)**:** मैडम, बिहार में बहुमत की जीत हुई है। ....(व्यवधान)....

उपसभापति : पेपर भी ले कर दें। ....(व्यवधान).... पेपर ले कर दें। ....(व्यवधान)....